



Order Filed on July 26, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Brian C. Nicholas, Esquire
KML Law Group, PC
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
MidFirst Bank

In Re:
Jose A. Pena, Sr.

Case No: 17-20548-KCF

Hearing Date: July 25, 2017

Judge: Kathryn C. Ferguson

Recommended Local Form:

☐

Followed

☐

Modified

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: July 26, 2017

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".
Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Upon the motion of MidFirst Bank, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

Land and premises commonly known as 46 Stonehaven Lane, Willingboro, NJ 08046

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Jose A. Pena, Sr.
Debtor

Case No. 17-20548-KCF
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 26, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 28, 2017.

db +Jose A. Pena, Sr., 46 Stonehaven Lane, Willingboro, NJ 08046-1439

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 28, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 26, 2017 at the address(es) listed below:

Barry Frost trustee@teichgroh.com, NJ94@ecfcbis.com
Brian C. Nicholas on behalf of Creditor MidFirst Bank bnicholas@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin C. Fayette on behalf of Debtor Jose A. Pena, Sr. lawoffices@quigleyfayette.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5